

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 CIAE-00 PM-03 INR-07 L-02 ACDA-05

NSAE-00 PA-01 PRS-01 SP-02 USIA-06 TRSE-00 SAJ-01

DODE-00 H-02 NSC-05 SS-15 EB-07 COME-00 OMB-01 /081 W

----- 049378

R 070900Z MAY 75

FM AMEMBASSY NICOSIA

TO SECSTATE WASHDC 1637

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY LONDON

USMISSION USUN

USMISSION USNATO

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E.O. 11652: NA

TAGS: PFOR CPRS US CY TU

SUBJ: GOC NOTES VERBALES ON COMPLIANCE WITH TURK REGULATIONS

REF: A) NICOSIA 380; B) NICOSIA 650

1. SUMMARY: TWO GOC NOTES VERBALES WARN USG CITIZENS AGAINST INVOLVEMENT WITH WIDE RANGE OF ASSORTED TURK ACTIVITIES IN OCCUPATION ZONE. EFFECT IS TO PUT THIRD-COUNTRY PROPERTY HOLDERS, TOURISTS ON NOTICE AS TO POSSIBLE FUTURE GOC SANCTIONS. EMBASSY WILL SEEK CLARIFY INTENT WITH GOC AND CHECK WITH NATO AMBASSADORS. FOR MOMENT, WE PLAN NO RESPONSE TO EITHER NOTE. END SUMMARY.

2. EMBASSY HAS RECEIVED TWO NOTES VERBALES, BOTH NUMBERED A.324 AND DATED APRIL 26, ASKING USG TO DISSUADE ITS CITIZENS FROM COMPLIANCE WITH TURK DIRECTIVES RE PROPERTY, OR ANY INVOLVEMENT IN CERTAIN TURK ACTIVITIES, IN OCCUPATION ZONE.

3. FIRST NOTE CONCERNS ACTS BY "TURKEY AND SO-CALLED AUTONOMOUS TURKISH CYPRIOT ADMINISTRATION" TO USURP AND EXPLOIT "HOTELS, LIMITED OFFICIAL USE

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RESTAURANTS, AND OTHER TOURISTIC ESTABLISHMENTS", "FACTORIES AND

INDUSTRIES AND ENTERPRISES" OWNED BY GREEK CYPRIOTS WHO FLED OCCUPATION ZONE. NOTE SAYS THESE TURKISH MOVES ARE CRIMINAL ACTS WHICH VIOLATE CYPRUS LAW; ARTICLES 49, 147 OF FOURTH GENEVA CONVENTION OF 1949; EUROPEAN CODE OF HUMAN RIGHTS; INTERNATIONAL LAW. OPERATIVE PARAGRAPH ASKS USG TO INVITE "THE ATTENTION OF CITIZENS AND COMPANIES OF THE UNITED STATES OF AMERICA, TO THE SERIOUS IMPLICATION IN CASE OF THEIR INVOLVEMENT IN ANY WAY IN THE MATERIALIZATION OF THE ILLEGAL TURKISH ACTIONS."

4. SECOND NOTE REFERS TO TURKISH NOTE OF LAST JANUARY (REFTELS) REQUESTING THIRD-COUNTRY NATIONALS TO SUBMIT APPLICATIONS TO TURK CYPRIOT AUTHORITIES RE MOVABLE, IMMOVABLE PROPERTY LOCATED IN NORTH. GOC NOTE SAYS TURK INTENT IS TO "BRING FOREIGN GOVERNMENTS IN CONTACT WITH AN AUTHORITY NOT RECOGNIZED BY THE OTHER STATES AND THEREFORE, HAVING NO LEGAL LOCUS STANDI." GOC NOTE INVITES USG ATTENTION "TO FACT THAT TO SUBMIT APPLICATIONS OR REGISTER PROPERTIES, MOVABLE, IMMOVABLE OR, INVENTORIES, AS REQUIRED BY THE 'NOTE', WITH THE SO-CALLED 'AUTONOMOUS TURKISH CYPRIOT ADMINISTRATION' IS IN ITSELF ILLEGAL AND THE PERSONS CONCERNED AUTOMATICALLY BECOME ACCOMPLICES TO THE ILLEGAL ACTS PERPETRATED BY TURKEY EITHER BY ITSELF OR THROUGH THE TURKISH CYPRIOTS." OPERATIVE PARAGRAPH ASKS USG TO "INVITE ATTENTION OF THE CITIZENS OF THE USA, HOLDERS OF PROPERTIES OR ENTERPRISES WITHIN THE OCCUPIED AREA OF CYPRUS, TO THE SERIOUS IMPLICATION IN CASE OF THEIR INVOLVEMENT IN THE MATERIALIZATION OF THE ILLEGAL TURKISH INTENTIONS."

5. BOTH NOTES EXPRESS CONFIDENCE THAT USG "WILL RESPOND TO THIS NOTE AND WILL TAKE MEASURES SO THAT ITS CITIZENS DO NOT BECOME ACCOMPLICES IN THE PROMOTION OF THE ILLEGAL ACTS."

6. EMBASSY POUCHING COPIES BOTH NOTES TO DEPARTMENT, ATHENS, ANKARA, LONDON.

7. EMBASSY DOES NOT PLAN, FOR NOW, TO RESPOND TO EITHER NOTE, PENDING CLARIFICATION WITH GOC AUTHORITIES, FURTHER DISCUSSION WITH LOCAL NATO EMBASSIES AND RECEIPT OF DEPARTMENT'S GUIDANCE.

8. COMMENT: BOTH NOTES SEEM DESIGNED TO SEVER REMAINING LINKS BETWEEN TURK OCCUPATION ZONE AND FOREIGNERS WITH INTERESTS, LIMITED OFFICIAL USE

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MATERIAL OR PERSONAL, IN THAT ZONE. IF TAKEN LITERALLY -- AND NOTES CONTAIN MURKY TERMS, SUCH AS "MATERIALIZATION" -- RESULT WILL BE MAJOR PROBLEMS FOR AMCITS. THOSE WITH PROPERTY IN NORTH WILL BE CAUGHT BETWEEN TURK AUTHORITIES WHO INSIST ON "REGISTRATION" AND GOC WHICH APPARENTLY VIEWS SUCH STEP AS "CRIMINAL ACT", WITH POSSIBLE FUTURE SANCTIONS. END COMMENT.

9. ACTION REQUESTED: EMBASSY REQUESTS DEPARTMENT'S GUIDANCE

CONCERNING ADVICE EMBASSY SHOULD GIVE U.S. CITIZENS CAUGHT IN
BIND. OUR CURRENT POLICY IS TO BRING REGULATIONS OF BOTH SIDES
TO INDIVIDUAL'S OR COMPANY'S NOTICE; TELL THEM THEY WILL HAVE TO
MAKE OWN CHOICE. REGARDLESS OF CHOICE MADE, EMBASSY IS ASSURING
CITIZENS THAT WE WILL CONTINUE OUR EFFORTS PROTECT PROPERTY.
FYI: TURK CYPRIOT OFFICIALS ARE NOW ASSERTING THAT NO PROPERTY
CLAIM IS COMPLETE UNLESS FORMALLY REGISTERED.
BROWN

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